REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 1-19 will be pending. By this amendment, claims 1, 3, and 7 have been amended. No new matter has been added.

Recommendation for Claims 1-19

In Section 3 of the Office Action, it is recommended that each claim be numbered separately. Separate line numbers have been incorporated for each claim.

§102 Rejection of Claims 1, 3, 4, 8-13, and 14-19

In Section 5 of the Office Action, claims 1, 3, 4, 8-13, and 14-19 stand rejected under 35 U.S.C. §102(e) as being unpatentable over Shear *et al.* (Publication No. US 2001/0042043; hereinafter referred to as "Shear"). Claim 1 has been amended to clarify and to round out the scope of protection to which Applicant is entitled.

In the Background section of the Specification, it is stated that "[i]n a computer network, each station, node or terminal will have its own tasks to perform. It is also the case that, in use, there will [be] wide fluctuations in usage across the stations. Because of this, various schemes have been developed to increase the performance of a station by [utilizing] spare capacity in other stations of the network that may otherwise lie idle." *Background of the Specification, page 1, lines 9-13.*

To address the above-described shortcomings of the conventional computer network with multiple stations, embodiments of the present invention provide station and method for network apparatus. For example, the structure of station claim 1, as presented herein, includes:

> "A station for a network apparatus, said network apparatus comprising said station and a plurality of other station, all interconnected in a network by a communication link, said station comprising:
>
> *a network connection;*
>
> *a self assessment module* operable to determine a current status of said station, wherein said current status is a measure of available resources of said station;
>
> *a trust list* that includes a station identifier for each other station of said plurality of other stations, which is designated as trusted to perform tasks for said station;
>
> *a broadcast unit* operable to transmit service requests to said network connection and onto said network, said service requests being directed to said each other station identified in said trust list and constituting a request to said each other station to perform a task for said station; and
>
> *an answer unit* operable to receive service requests from said network through said network connection and, in response thereto, to transmit to said network through said network connection an acceptance or refusal message in respect of said service request, said acceptance or refusal being decided based on said current status of said station, as determined by said self assessment module."

(emphasis added)

Accordingly, in one embodiment of claim 1, a station for a network apparatus includes: a network connection; a self assessment module to determine a current status of the station; a trust list; a broadcast unit to transmit service requests requesting other stations to perform tasks for the station; and an answer unit to receive service requests from other stations and, in response

thereto, to transmit acceptance or refusal of service requests from other stations based on the current status of the station.

Accordingly, the station of claim 1 is configured so that the first station sends out a service request to other stations asking the other stations whether they can perform the task specified in the service request. Other stations determine whether the task requested by the first station can be performed in the other stations. If the task can be performed, then the other station(s) that can perform the task sends a reply back indicating an acceptance of the service request. Thus, the determination of whether the requested task of the first station can be performed in other stations is made by the other stations rather than the first station.

By contrast, the determination of whether the requested task of the first station/appliance can be performed in other stations/appliances is made by the first station/appliance rather than the other stations/appliances. Although the Office Action cites several paragraphs of Shear (i.e., paragraphs [0003], [0069], [0251]-[0252], and [0334]-[0335]) in support of an argument that the determination of whether the requested task of the first station/appliance can be performed in other stations/appliances is made by the other stations/appliances rather than the first station/appliance, it is submitted that none of these paragraphs (and other paragraphs) of Shear supports that argument.

For example, paragraph [0003] teaches "co-operative rights management where plural rights management arrangements collectively control a rights management event on one or more of such arrangements". However, there is no disclosure of how this cooperation is achieved. Paragraph [0069] merely discusses different protection environments that use data on a DVD in accordance with rights management techniques and/or capabilities of the environment. For example, (i) a basic home DVD player may simply provide copy protection, while (2) a personal

computer incorporating a secure processing component, possibly supported by a network

connection or a "smarter" appliance or device, may provide more enhanced usage rights.

Paragraphs [0334]-[0335] disclose two or more appliances establishing a virtual rights machine

environment. In paragraph [0334], Shear teaches how a user of a first appliance initiates an

action involving a rights management component of that first appliance. Alternatively, this

action could be an automatic event. Paragraph [0335] states that the <u>first appliance</u> then

determines which rights the user has for the <u>first appliance</u> in relation to this action. The

paragraph then clearly states that this <u>first appliance</u> also determines what rights the user has for

this action on other appliances. Paragraphs [0336]-[0342] then provide an example of this in

which the <u>first appliance</u> contacts a rights authority server that returns a list of rights information

about the other appliances so that the first appliance can determine how to act upon this

information. Paragraph [0343] provides another example in which the <u>first appliance</u> directly

polls other appliances for their rights information so that the first appliance can determine how to

act upon this information. Paragraphs [0344]-[0345] then discuss how the first appliance

assesses whether the other appliances should take on the task. Paragraph [0351] states that the

first appliance determines the rights and resources available on the first appliance and the other

appliances when acting together. Paragraphs [0251]-[0252] merely disclose how a

microprocessor performs copy control depending upon control data and how property

information may be read (and decrypted) for the user. Therefore, the cited paragraphs disclose

that the assessment/determination is made by the first appliance (i.e., the appliance wanting an

action to be performed).

Based on the foregoing discussion, it is maintained that claim 1 should be allowable over

Shear. Since claim 14 closely parallels, and recites substantially similar limitations as recited in,

claim 1, claim 14 should also be allowable over Shear. Further, since claims 3, 4, 8-13, and 15-19 depend from one of claims 1 and 14, claims 3, 4, 8-13, and 15-19 should also be allowable over Shear.

Accordingly, it is submitted that the rejection of claims 1, 3, 4, 8-13, and 14-19 based upon 35 U.S.C. §102(e) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claims 2 and 6

In Section 22 of the Office Action, claims 2 and 6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Shear in view of Hunt (U.S. Patent 6,629,123).

Based on the foregoing discussion regarding claim 1, and since claims 2 and 6 depend from claim 1, claims 2 and 6 should also be allowable over Shear. Hunt was merely cited for teaching self assessment module operable to determine a static status for the station based on hardware resources of the station and a dynamic status for the station based on current usage of the hardware resources. Therefore, Shear and Hunt, individually or in combination, fail to teach or suggest all the limitations of claims 2 and 6.

Accordingly, it is submitted that the rejection of claims 2 and 6 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claim 5

In Section 28 of the Office Action, claim 5 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Shear in view of Theimer *et al.* (U.S. Patent 5,812,865; hereinafter referred to as "Theimer").

Based on the foregoing discussion regarding claim 1, and since claim 5 depends from claim 1, claim 5 should also be allowable over Shear. Theimer was merely cited for teaching a task scheduler module arranged to monitor all tasks being performed in the station. Therefore, Shear and Theimer, individually or in combination, fail to teach or suggest all the limitations of claim 5.

Accordingly, it is submitted that the rejection of claim 5 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 1-19 are respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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